

ORDINANCE NO. 2013-10

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to the City's building codes and regulations, amending Sections 15.04.020, 15.04.021, 15.04.023 and 15.04.050 of BIMC Chapter 15.04.

WHEREAS, the State Building Code Council amended and adopted the 2012 International Building Code, the 2012 International Residential Code, the 2012 International Mechanical Code published by the International Code Council, as well as the 2012 Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials and the 2012 Washington State Energy Code; and

WHEREAS, the City of Bainbridge Island is required by RCW 19.27.031 to adopt provisions of certain uniform codes of technical building and related regulations as adopted by the Washington State Building Code Council ("WSBCC"); and

WHEREAS, pursuant to WAC 51-50, these new codes become effective July 1, 2013; and

WHEREAS, the City wishes to be consistent with other jurisdictions and internally consistent with the application of the after-the-fact permit fees; and

WHEREAS, Washington statutes require all jurisdictions in the state to adopt by reference and enforce the same building code throughout Washington; now, therefore,

THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 15.04.020 of the Bainbridge Island Municipal Code is amended to read as follows:

Section 15.04.020 Codes adopted by reference.

The following codes are adopted by reference subject to the amendments set forth in BIMC 15.04.021 through 15.04.070 and Resolution 99-31:

A. The International Building Code, ~~2009~~ 2012 Edition, published by the International Code Council, and amended by the State Building Code Council in Chapter 51-50 WAC, together with ICC A117.1-~~2003~~—2009, Appendix C (Agricultural Buildings), Appendix E (Supplementary Accessibility Requirements), and Appendix J (Grading), and the 2012 International Existing Building Code;

B. The International Residential Code, ~~2009~~ 2012 Edition, published by the International Code Council, and amended by the State Building Code Council in Chapter 51-51 WAC together with Appendix F (Radon Control Measures), and Appendix G (Swimming Pools, Spas and Hot Tubs), and ~~Appendix R (Dwelling Unit Fire Sprinkler Systems)~~;

C. The Uniform Plumbing Code, ~~2009~~ 2012 Edition, published by the International Association of Plumbing and Mechanical Officials, and as amended by the State Building Code Council in Chapters 51-56 and 51-57 WAC including Appendices A, B and I;

D. The International Mechanical Code, ~~2009~~ 2012 Edition, published by the International Code Council, and as amended by the State Building Code except that the standards for handling liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and NFPA 54 (National Fuel Gas Code);

E. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, as published by the International Conference of Building Officials;

F. The Washington State Energy Code, ~~2009~~ 2012 Edition, published by the State Building Code Council, including Appendices A, B, & C, and amended in Chapter ~~51-11 WAC~~ 51-11C WAC and Chapter 51-11R WAC;

G. The Uniform Administrative Code, 1997 Edition, published by the International Conference of Building Officials;

H. The International Fuel Gas Code, ~~2009~~ 2012 Edition, published by the International Code Council;

I. The Uniform Building Code, 1997 Edition, Table 1-A only, published by the International Conference of Building Officials.

In case of conflict among the BIMC and codes adopted in subsections A, B, C, D, E, F, G, H, and I of this section, the BIMC shall govern.

Section 2. Section 15.04.021 of the Bainbridge Island Municipal Code is amended to read as follows:

Section 15.04.021 Design Requirements

IRC Table R301.2(1) is amended by filling in the blanks of the table as follows:

Roof-Snow Load: 25 psf
Wind Speed: 85 mph
Seismic Category: D2
Weathering: Moderate
Frost Line Depth: 12 inches
Termite: Slight to Moderate
Decay: Slight to Moderate
Winter Design Temp: 27 degrees F
Ice Shield Underlayment Required: No
Flood Hazards: Per BIMC 15.16
Air Freezing Index: 113
Mean Annual Temp: 53 degrees F

Section 3. Section 15.04.023 of the Bainbridge Island Municipal Code is amended to read as follows:

15.04.023 International Building Code, Section 104.6 and International Residential Code, Section R104.6 amended – Right of Entry; International Building Code, Section 114 and International Residential Code, Section R113 amended – Violations; International Building Code, Section 114 and International Residential Code, Section R114 amended – Stop Work Order.

Section 104.6 Right of Entry. The right of entry for the building official shall be as set forth in BIMC 1.26.020.

Section R104.6 Right of Entry. The right of entry for the building official shall be as set forth in BIMC 1.26.020.

Section 114 Violations. The building official may order discontinuance or vacation of a use, structure, building or equipment in accordance with Chapter 1.26 BIMC.

Section R1134 Violations. The building official may order discontinuance or vacation of a use, structure, building or equipment in accordance with Chapter 1.26 BIMC.

Section 115 Stop Work Orders. The building official may order work stopped in accordance with Chapter 1.26 BIMC.

Section R114 Stop Work Orders. The building official may order work stopped in accordance with Chapter 1.26 BIMC.

Section 4. Section 15.04.050 of the Bainbridge Island Municipal Code is amended to read as follows:

Section 15.05.050 International Building Code, Section 108.2 and International Residential Code, Section R108.2 amended - Fees.

A. Permit Fees. The fee for each permit shall be calculated from the 1997 Uniform Administrative Code, which is adopted by reference, and using the most current building valuation data supplied by the International Code Council times a factor of 1.41. When building valuation data is updated by the International Code Council, the city's fees shall be adjusted as of the first of the month at least 30 days after release of the updated figures from the International Code Council. The calculated fees may be reduced by a percentage discount as determined by resolution of the city council. In no case shall the fees charged for building permits exceed the cost to the city of the building permit regulatory function.

B. Plan Review Fees. When a plan or other data is required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be 65 percent of the building permit fee calculated in subsection A of this section. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged.

C. Investigation Fees – Work Without a Permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether a permit is then or subsequently issued. If a permit is not issued, the investigation fee shall be due to the City within sixty (60) days from the date of notification the fee is due. The investigation fee shall be equal to the total permit cost, except the SBCC fee. ~~based on the actual time spent on the investigation.~~ The payment of such investigation fee shall not exempt any person

from compliance with all other provisions of this chapter or from any penalty prescribed by law.

D. Renewal Fees. Fees for renewals shall be one-half the amount required for a new permit for the work. Such fee may be waived by the building official following written request for same upon showing that circumstances beyond the control of the applicant prevented work from commencing or action from being taken.

E. Fee Refunds.

1. The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

2. The building official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. The building official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

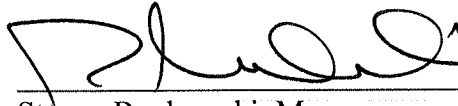
F. Planning Review of Building Permits. When a plan or other data is required to be reviewed for conformity with the environmental or zoning chapters of the Bainbridge Island Municipal Code, a review fee shall be charged in the amount established by the city by resolution. Where plans are incomplete or changed so as to require additional environmental or zoning review, an additional review fee shall be charged.

Section 5. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

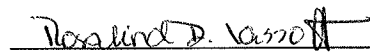
PASSED by the City Council this 26th day of June, 2013.

APPROVED by the Mayor this 26th day of June, 2013.



Steven Bonkowski, Mayor

ATTEST/AUTHENTICATE:


Rosalind D. Lassoff, CMC, City Clerk

FILED WITH THE CITY CLERK:	May 10, 2013
PASSED BY THE CITY COUNCIL:	June 26, 2013
PUBLISHED:	June 28, 2013
EFFECTIVE DATE:	July 3, 2013
ORDINANCE NO.:	2013-10